

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1559.00
COMPLAINT INVESTIGATOR: Steve Starbuck
DATE OF COMPLAINT: April 24, 2000
DATE OF REPORT: May 17, 2000
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: October 17, 2000

COMPLAINT ISSUES:

Whether the Indianapolis Public Schools violated:

511 IAC 7-10-3 with regard to the school's alleged failure to initiate the process for an educational evaluation at the parent's request.

511 IAC 7-10-2 with regard to the school's alleged failure to implement general education intervention procedures for a student whose classroom performance is adversely affecting educational outcomes.

FINDINGS OF FACT:

1. The student is a fifteen-year-old, eighth grade student, who has never been evaluated for special education.
2. A telephone log indicates the school social worker spoke with the student's parent and grandparent on April 19 and 21, 2000, regarding the student being evaluated for special education. A letter dated May 3, 2000, reflects the school counselor met with the student's parent and grandparent on April 20, 2000, and discussed the issue of having the student evaluated for special education. The same letter notes that prior to the April 20th meeting, the school counselor had received two telephone calls from the student's relatives expressing concerns regarding the student's academic progress. During the telephone conversation on April 19, 2000, the parent and grandparent were told by the school social worker to contact a particular staff member to request an evaluation for the student. During the April 20th meeting, the school counselor advised the parent and grandparent to contact a staff member to request an evaluation that was different from the one the social worker had recommended. On April 21, 2000, the social worker spoke with the parent by telephone and advised the parent to contact the staff member she had mentioned on April 19th to request an evaluation for the student. No explanation was provided as to the why the parent was not advised to sign a consent for an evaluation form while she was at the school on April 20, 2000. The parent signed the Permission for Evaluation form on May 9, 2000.
3. Report cards and the student's cumulative grade record reflect a substantial drop in the student's grades since the 1995-1996 school year. The letter written by the school counselor dated May 3, 2000, indicates a letter was mailed out on February 4, 2000, stating the student may be retained in the eighth grade for the 2000-2001 school year. According the school counselor, another letter concerning the student's possible retention was mailed out on April 21, 2000. It was requested that the special education supervisor supply the student's grades for the 1999-2000 school year;

however, these were not provided. A progress report as of May 10, 2000, was supplied, which indicates the student's current academic performance as follows:

Language Arts	C
Math	D
Science	F
Social Studies	between a C and a D
Reading	D

Although the student's attendance has been a concern over a number of years, there is no indication as to what impact this has had on the student's academic performance. The student has never received general education intervention services, even though the student's grades have dropped substantially over the past five years and the school has proposed retention.

CONCLUSIONS:

1. Finding of Fact #2 indicates the student's family made numerous requests concerning the completion of an educational evaluation; however, the process for initiating the evaluation was not completed timely. Therefore, a violation of 511 IAC 7-10-3 is found.
2. Finding of Fact #3 reflects the student was not offered general education interventions, even though there has been a substantial drop in the student's grades and the school has proposed retention. Therefore, a violation of 511 IAC 7-10-2 is found.

The Department of Education, Division of Special Education, requires the following corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Indianapolis Public Schools shall:

1. In-service all appropriate staff (administrative, educational, and support) regarding the procedures for initiating an educational evaluation for special education services in accordance with 511 IAC 7-25-3 and 4 of the revised Article 7. The in-service shall include measures to prevent any delays of initiating the evaluation timely when the evaluation is requested by the parent or interested parties of the student. Submit documentation to the Division that this has been completed no later than June 12, 2000. The documentation should include a list or an agenda of all issues discussed, any handouts that were distributed, and a list of attendees by name and title.
2. In-service all appropriate staff (administrative and educational) regarding the implementation of general education intervention procedures for a student whose classroom performance is adversely affecting education outcomes as specified in 511 IAC 7-25-3(b) of the revised Article 7. Submit documentation to the Division that this has been completed no later than June 12, 2000. The documentation should include a list or an agenda of all issues discussed, any handouts that were distributed, and a list of attendees by name and title.

DATE REPORT COMPLETED: May 17, 2000

